

10/768 545

Attorney Docket No. 1783

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number : 6,909,039
Issued : June 21, 2005
Name of Patentee : Gerhard Weber
Title of Invention : Inbred Corn Line PH77N

Certificate
SEP 20 2005
of Correction

Attention Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR APPLICANT'S MISTAKE (37 CFR 1.323)**

1. Per examiner's recommendation a Certificate of Correction is being filed to add deposit number to the deposit paragraph on page 34, line 17, which is already present in the claims
2. Attached hereto, in duplicate is Form PTO/SB/44, with at least one copy being suitable for printing.
3. Please send the Certificate to:

Name : Cassandra Prochaska
Address: Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7250 N.W. 62nd Avenue
P.O. Box 0552
Johnston, Iowa 50131-0552
4. Please charge the \$100.00 fee required by 37 CFR 1.20(a) to Deposit Account No. 16-1852. Please charge any additional fees required by this paper or credit any overpayment to the Deposit Account authorized above. A duplicate of this paper is attached.
5. Attached is a "Statement Under 37 CFR 3.73(b)," establishing the right of the assignee to take action in this case.

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Patent No. 6,909,039
Attorney Docket No. 1783

Respectfully submitted,



Cassandra Prochaska
Agent for Applicant(s)
Registration No. 56,434

PIONEER HI-BRED INTERNATIONAL, INC.
Corporate Intellectual Property
7250 N.W. 62nd Avenue
P.O. Box 0552
Johnston, Iowa 50131-0552
Phone: (515) 334-6452
Facsimile: (515) 334-6883

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 14, 2005

Date



Signature

Cassandra Prochaska

Typed or printed name of person signing Certificate

56,434

Registration Number, if applicable

(515) 334-6452

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Request for Certificate of Correction of PHI Mistake - 1 copy
2. Certificate of Correction - 2 copies

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,909,039

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APPLICATION NO. : 10/768,545

ISSUE DATE : June 21, 2005

INVENTOR(S) : Gerhard Peter Weber

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

In column 34, line 17, the paragraph should read:

Applicants have made a deposit of at least 2500 seeds of Inbred Maize Line PH77N with the American Type Culture Collection (ATCC), Manassas, VA 20110 USA, ATCC Deposit No. PTA-6355. The seeds deposited with the ATCC on November 30, 2004 were taken from the deposit maintained by Pioneer Hi-Bred International, Inc., 7100 NW 62nd Avenue, Johnston, Iowa 50131-1000 since prior to the filing date of this application. Access to this deposit will be available during the pendency of the application to the Commissioner of Patents and Trademarks and persons determined by the Commissioner to be entitled thereto upon request. Upon allowance of any claims in the application, the Applicant will make the deposit available to the public pursuant to 37 C.F.R. 1.808. This deposit of the Inbred Maize Line PH77N will be maintained in the ATCC depository, which is a public depository, for a period of 30 years, or 5 years after the most recent request, or for the enforceable life of the patent, whichever is longer, and will be replaced if it becomes nonviable during that period. Additionally, Applicant has or will satisfy all of the requirements of 37 C.F.R. §§1.801 - 1.809, including providing an indication of the viability of the sample upon deposit. Applicant has no authority to waive any restrictions imposed by law on the transfer of biological material or its transportation in commerce. Applicant does not waive any infringement of rights granted under this patent or under the Plant Variety Protection Act (7 USC 2321 et seq.). U.S. Plant Variety Protection of Inbred Maize Line PH77N has been applied for.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Pioneer Hi-Bred International, Inc.
7250 N.W. 62nd Ave
P.O. Box 552
Johnston, IA 50131-0552

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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